

Atty. Dkt. No. 035451-0143 (3673.Palm)

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 10 and 17-22 are currently being amended. No new matter has been added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-22 are now pending in this application.

Claim Rejections – 35 U.S.C. § 102

In Section 2 of the Office Action, the Examiner rejected Claims 17-22 under 35 U.S.C. § 102(b) as being anticipated by Ludwig et al. The Examiner indicates that the claimed invention reads on Ludwig et al. in Figures 8B and column 24, lines 22-36.

Independent Claim 17 has been amended and recites “a radio enabled handheld computer the handheld computer being sized to fit in a pocket, the handheld computer having a display screen, the display screen displaying a user interface comprising.” First, Applicants respectfully submit that “handheld computer being sized to fit in a pocket” should be construed to exclude notebook or laptop sized computers. The terms of the claim should be given their ordinary and accustomed meaning determined by reference to dictionaries, encyclopedias, and treatises available at the time of the patent. Applicants previously defined “handheld computer” in the previously filed reply and hereby incorporate those comments by reference into this reply. Further still, it should be appreciated that the Applicant may be his or her own lexicographer as long as the meaning assigned to the term is not repugnant to the terms well known usage. In re Hill, 161 F.2d 367, 73 U.S.P.Q. 482 (CCPA 1947). Accordingly, Applicants refer the Examiner

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to the specification at page 1, paragraph [0001], which states "handheld computing devices, 'palm tops', 'palm helds', personal digital assistants (PDAs), or handheld computers typically weigh less than a pound and fit in a pocket." Accordingly, it is clear that the Applicants have defined the term "handheld computer" within specified constraints which would not include notebook computers. Notebook computers conventionally do not weigh less than a pound and conventionally do not fit in a pocket. Further, because of the small size of the display screen on a handheld computer, certain efficiencies for the user interface on the handheld computer are needed which are not necessitated by notebook computers because of the large size of the display screen. Accordingly, the subject matter of Claim 17 provides such efficiencies and is not disclosed, taught, or suggested by Ludwig et al.

Besides the fact that Ludwig et al. does not disclose, teach, or suggest user interfaces for radio enabled handheld computers, neither does Ludwig et al. disclose, teach, or suggest "a user selectable option that is configured to effectuate movement of at least one of the first indicator and the second indicator from their respective first or second screen portion to the other of the first and second screen portions." What is taught in Ludwig et al. is that a display screen may show multiple participants of a conference call and may also show which of those participants are on hold. What is not disclosed by Ludwig et al. is that the display screen has two portions, for example, an active portion and a hold portion and the call indicators may be moved from one screen portion to the other screen portion and thereby effectuating the change in the call status. All that is taught in Ludwig et al., is activating of the hold status or releasing from the hold status of calls displayed on the screen. Even when calls are put on hold, they appear to stay visually in tact in their respective portion of their display screen. Therefore, Applicants respectfully submit that because all of the claim limitations of claim 17 are not disclosed, taught, or suggested by Ludwig et al., Ludwig et al. does not anticipate Claim 17. Therefore, independent Claim 17 and its respective dependent claims are therefore allowable.

Claim Rejections – 35 U.S.C. § 103

In Section 4 of the Office Action, the Examiner rejected Claims 1-3 and 5-16 under 35 U.S.C. § 103(a) as being unpatentable over Vainio et al. in view of Ludwig et al. and Roustaei et

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al. The Examiner indicates that with regard to independent Claim 1, Vainio et al. teaches all but “the user interface including a hold area of the display configured to display indicators representative of the parties on hold and an active area of the display configured to display indicators representative of the parties active on the conference call.”

The Examiner indicates further that “Ludwig et al. teaches a laptop computer which operates through a cellular link (col. 14, line 64 – col. 15, line 11) where the user interface (Fig. 8b) including a hold area of the display configured to display indicators representative of the parties on hold and an active area of the display configured to display indicators representative of the parties active on the conference call (col. 24, lines 23-36, fig. 8B and col. 24 lines 22-36, fig. 35 and col. 36 line 14 through col. 38 line 55).” Applicants disagree that what is taught in Ludwig et al. is a hold area of the display and an active area of the display. Nothing in Ludwig et al. indicates that the mosaic displays are an active area of the display screen. There is nothing to indicate in Ludwig et al. that when call participants shown in the mosaic area of the screen are put on hold that their image is removed from the mosaic area. Therefore, it is not necessarily an active area of the screen as participants may be either on hold or active while their image is in the mosaic area. The indicator on the calls on hold area of the screen would indicate which of the participants are on hold. Thus, Applicants respectfully submit that there is no teaching or suggestion of a specific hold area of the screen and a specific active area of the screen (i.e., two different and distinct screen portions). What is shown in Ludwig et al. is an image (mosaic) area of the screen and a hold indicating area. Accordingly, Applicants respectfully submit that independent Claim 1 and its respective dependent claims are not obvious over Vainio et al. in view of Ludwig et al. and Roustaei et al. Thus, Applicants respectfully submit that Claims 1-9 are therefore allowable.

Referring now to amended Claim 10, the Examiner rejected Claim 10 based on Vainio as teaching a handheld mobile telephone and Ludwig et al. teaching two different display areas. Applicants respectfully submit that as discussed above Ludwig et al. does not disclose, teach, or suggest “placing the first call on hold at the request of a user and placing an indicator representative of the first call in a hold section of the display and removing the indicator

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representative of the first call from an active section of the display.” What is disclosed in Ludwig et al. is a mosaic area of the display in which calls may be either active or inactive, therefore it is not an active area of the display and a second area of the display which is a hold indicating area of the display. Further, Ludwig et al. does not disclose, teach, or suggest removing a call from the active area and placing it in the hold area of the display. See also argument above with regard to claim 1. Thus, Applicants respectfully submit that the method recited in independent Claim 10 is not disclosed, taught, or suggested by any proper combination of Vainio et al., Roustaei et al. and Ludwig et al.

Accordingly, Applicants respectfully submit that Claim 10 and its respective dependent claims are not obvious in view of any combination of Vainio et al., Roustaei et al. and Ludwig et al. Thus, Claims 10-16 are therefore allowable.

* * * * *

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers

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submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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